

9-12-05

1P12 1637



PTO/SB/21 (09-04)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/618,178
Filing Date	18 July 2000
First Named Inventor	LINCOLN, Stephen E.
Art Unit	1637
Examiner Name	FREDHOLM, Jeffrey N.
Attorney Docket Number	13151-2

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	<input type="checkbox"/> three non-patent literature documents
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> receipt-acknowledgement postcard
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Kalow & Springut LLP		
Signature			
Printed name	J. David Ellett, Jr.		
Date	9 September 2005	Reg. No.	27,875

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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98704.1

Patent

13151-2



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REMADE **Re Patent Application of**

Applicants : LINCOLN, Stephen E. and
KNAPP, Michael R.

Serial No. : 09/618,178

Filing Date: 18 July 2000

Title : "Automatic Genotype Determination"

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Examiner: FREDMAN, Jeffrey N.
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Group Art Unit: 1637
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Kalow & Springut LLP
488 Madison Avenue, 19th Floor
New York, New York 10022

Customer No. 23719

9 September 2005

Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

SIR or MADAM:

Pursuant to 37 CFR 1.97(c), the attorneys for the applicants hereby bring to the attention of the Patent and Trademark Office in connection with the patent application identified above the three non-patent literature documents listed below broadly related to the field of the invention of the application.

EV280355456US

Applicants: LINCOLN, Stephen E. and
KNAPP, Michael R.

Serial No.: 09/618,178

Filed: 18 July 2000

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Non-Patent Literature Documents

PROBER, J. M. *et al.*, "A System for Rapid DNA Sequencing with Fluorescent Chain-Terminating Dideoxynucleotides," *Science*, 16 October 1987, pages 336-341, volume 238;

NICKERSON, D. A. *et al.*, "Automated DNA diagnostics using an ELISA-based oligonucleotide ligation assay," *Proc. Natl. Acad. Sci. USA*, November 1990, pages 8923-8927, volume 87;

NICKERSON, D. A. *et al.*, "Identification of Clusters of Biallelic Polymorphic Sequence-Tagged Sites (pSTSs) That Generate Highly Informative and Automatable Markers for Genetic Linkage Mapping," *Genomics*, 1992, pages 377-397, volume 12.

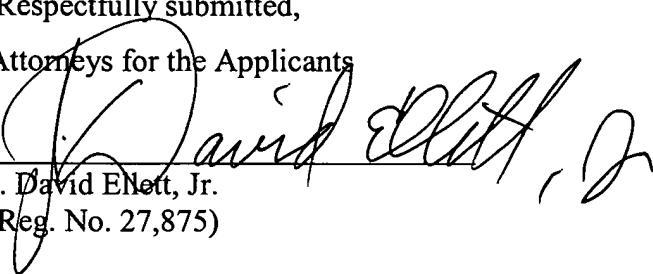
The documents identified above are identified on an accompanying Form PTO/SB/08b. A copy of each of the documents identified above is submitted with this statement.

The attorneys for the applicants take no position on whether or not any item identified above constitutes prior art against the subject application under any particular provision of Title 35 of the United States Code.

A check to cover the official fee for submission of an information disclosure statement pursuant to 37 CFR 1.97(c), estimated to be one hundred eighty dollars (\$180.00), was submitted with the information disclosure statement submitted to the Patent and Trademark Office on 12 July 2005 in connection with the subject application. No Office Action with respect to the subject application has been received since that time. It is assumed that no additional fee is

Applicants: LINCOLN, Stephen E. and
KNAPP, Michael R.
Serial No.: 09/618,178
Filed: 18 July 2000
Page 3

required for filing the present second supplemental information disclosure statement at this time.
If an additional fee is required, please charge the amount of such fee to deposit account
No. 11-0171.

Respectfully submitted,
Attorneys for the Applicants
By 
J. David Enett, Jr.
(Reg. No. 27,875)

Telephone: (212) 813-1600

SEP 09 2005

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1

of 1

Complete if Known

Application Number	09/618,178
Filing Date	18 July 2000
First Named Inventor	LINCOLN, Stephen E.
Art Unit	1637
Examiner Name	FREDMAN, Jeffrey N.

Attorney Docket Number 13151-2

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		PROBER, J. M., <u>et al.</u> , "A System for Rapid DNA Sequencing with Fluorescent Chain-Terminating Dideoxynucleotides," <u>Science</u> , 16 October 1987, pages 336-341, vol. 238	
		NICKERSON, D. A., <u>et al.</u> , "Automated DNA diagnostics using an ELISA-based oligonucleotide ligation assay," <u>Proc. Natl. Acad. Sci. USA</u> , November 1990, pages 8923-8927, vol. 87	
		NICKERSON, D. A., <u>et al.</u> , "Identification of Clusters of Biallelic Polymorphic Sequence-Tagged Sites (pSTSs) That Generate...," <u>Genomics</u> , 1992, pages 377-397, vol. 12	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.
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